

District Judge Tana Lin

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

THE UNIVERSITY OF WASHINGTON, a  
Washington State Agency; THE CENTER FOR  
HUMAN RIGHTS AT THE UNIVERSITY OF  
WASHINGTON, a research center created by  
state law; and ANGELA GODOY, Director of  
the Center for Human Rights at the University of  
Washington,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
HOMELAND SECURITY; and UNITED  
STATES IMMIGRATION AND CUSTOMS  
ENFORCEMENT,

Defendants.

Case No. 2:22-cv-01329-TL

FEBRUARY 2023 JOINT STATUS  
REPORT

Pursuant to the Court's Order of December 29, 2022, Dkt. 19, the parties respectfully submit the following joint status report.

1. On September 20, 2022, Plaintiffs filed their Complaint seeking relief under the Freedom of Information Act ("FOIA") in connection with their requests for certain records which Plaintiffs believe to be in the possession, custody, or control of Defendants. Dkt. 1

2. On November 18, 2022, the Court entered a Revised Order Regarding Joint Status Report, requiring the parties to file a combined joint status report and discovery plan. Dkt. 15.

3. On November 28, 2022, Defendants filed their Answer. Dkt. 16.

4. On November 30, 2022, the parties filed a join status report ("November JSR").

5. In the November JSR, the parties stated their concise positions concerning the relief requested in the Complaint. *Id.* at ¶ 1. Plaintiffs stated that that they sought (1) production of certain documents responsive to their FOIA requests and already identified by Defendants by December 7, 2022, (2) production of other especially time-sensitive documents responsive to Plaintiffs' FOIA requests by January 17, 2022, and (3) rolling productions thereafter of other responsive documents on the 15th of every month—or if that date falls on a weekend or federal holiday, then the following business day—starting February 15, 2023, until complete, with all productions completed by August 15, 2023. *Id.* at ¶ 1(A). Defendants stated that the issues were relatively straightforward and that no one FOIA request in the Complaint appeared particularly complex. *Id.* at ¶ 1(B). Defendants stated further that they were hopeful the parties could agree on a reasonable schedule to fully satisfy Plaintiffs' FOIA requests. *Id.*

6. On December 8, 2022, Defendants made their first production since the start of litigation, which consisted of one partially redacted 153-page file ("December Production"). Defendants' position is that the December Production satisfied Defendants' obligations in response to requests ICE0120 and ICE0058. Plaintiffs are evaluating the December Production and will continue to confer with Defendants if further questions or issues arise with respect to ICE0120 and ICE0058.

7. On December 14, 2022, the parties held a telephonic meet and confer during which they discussed the mechanism by which Defendants would produce documents, clarifications of certain of Plaintiffs' FOIA requests, an update on Defendants' search efforts, and the proposed production schedule Plaintiffs included in the November JSR. Plaintiffs provided a draft JSR on December 20, 2022, proposing the same dates for production Plaintiffs had proposed through the November JSR.

8. On December 22, 2022, the parties filed a JSR ("December JSR") in which they stated their positions with respect to a production schedule. Dkt. 18. Plaintiffs re-stated the proposed production schedule from the November JSR, with monthly productions and a deadline of August 15, 2023, for the completion of all productions. *Id.* ¶ 9(a).

9. On December 29, the Court entered an Order Setting Bench Trial Date and Related Dates, Dkt. 19, setting the deadline for the parties' next joint status report for February 1, 2023.

10. On January 23, 2023, Defendants made their second production since the start of litigation available to Plaintiffs.<sup>1</sup> Plaintiffs are in the process of reviewing this production.

11. As stated in the November JSR and December JSR, Plaintiffs have requested that Defendants make productions on a rolling basis, with at least one production per month, to be produced by the 15th of every month—or if that date falls on a weekend or federal holiday, then the following business day—starting February 15, 2023, until complete.

12. As is their standard practice, Defendants intend to make productions at least once a month, or more, as documents are reviewed and finalized.

13. The parties have agreed that Defendants will prioritize the following requests as described in the Complaint and the parties' correspondence: ICE0250, ICE0078, ICE0120, ICE0058, ICE0243, ICE0249, and ICE0090. To the extent not already complete, Defendants will focus their search and collection efforts on producing documents responsive to these requests first, and then shift their focus to the remaining FOIA requests as listed in the Complaint and the parties' correspondence.

14. The parties have agreed that a final production deadline of no later than September 15, 2023 would allow enough time for Defendants to complete their productions in response to all FOIA requests included in the Complaint. Plaintiffs maintain their position that good faith search and collection efforts would allow Defendants enough time to satisfy their FOIA obligations and complete their productions by August 15, 2023.

15. Plaintiffs respectfully request the Court enter an order requiring the parties' next joint status report be filed with the Court by April 3, 2023, to update the Court on the progress of the productions.

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<sup>1</sup> Due to a technical difficulty, Plaintiffs first access to the second production was on January 27, 2023.

1           16. Defendants believe such reports are an unnecessary use of the Court's and the  
2 parties' time and resources but will abide by whatever schedule the Court sets.

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4           DATED this 1st day of February 2023.

5                               Respectfully submitted,

6                               DAVIS, WRIGHT, TREMAINE, LLP  
7                               Special Assistant Attorneys General

8                               s/ Daniel A. Fiedler

9                               DANIEL A. FIEDLER, WSBA #56436  
10                              920 Fifth Avenue, Suite 3300  
11                              Seattle, WA 98104-1610  
12                              Phone: 206-622-3150  
13                              Fax: 206-757-7700  
14                              Email: danielfiedler@dwt.com

15                              Thomas R. Burke, Pro Hac Vice  
16                              505 Montgomery Street, Suite 800  
17                              San Francisco, CA 94111-6533  
18                              Phone: 415-276-6552  
19                              Fax: 415-276-6599  
20                              Email: thomasburke@dwt.com

21                              *Attorneys for Plaintiffs*

22                              NICHOLAS W. BROWN  
23                              United States Attorney

24                              s/ Nickolas Bohl

25                              NICKOLAS BOHL WSBA #48978  
26                              Assistant United States Attorney  
27                              United States Attorney's Office  
                              700 Stewart Street, Suite 5220  
                              Seattle, Washington 98101-1271  
                              Phone: 206-553-7970  
                              Fax: 206-553-4067  
                              Email: nickolas.bohl@usdoj.gov

*Attorney for Defendants*